

FILED

2019 JAN 25 A 11:46

KATE BLEYER
CLERK OF THE SUPERIOR COURT
CONTRA COSTA COUNTY, CA

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF CONTRA COSTA

CONCORD POLICE ASSOCIATION

Petitioner/Plaintiff,

vs.

CITY OF CONCORD; GUY SWANGER,
Chief of Police; and DOES 1 through 20,
inclusive,

Respondents/Defendants.

CASE NO. N19-0166

[PROPOSED] TEMPORARY
RESTRAINING ORDER AND ORDER TO
SHOW CAUSE RE: PRELIMINARY
INJUNCTION

The Ex Parte Application for a Temporary Restraining Order and Order to Show Cause Re: Preliminary Injunction of Petitioner/Plaintiff Concord Police Association (“CPA”) having been presented to the Court on January 25, 2019 and it appearing that Petitioner/Plaintiff CPA has no plain, speedy or adequate remedy at law and that a Temporary Restraining Order and Order to Show Cause Re: Preliminary Injunction should issue.

IT IS ORDERED that an Order to Show Cause re: Preliminary Injunction issue in this case enjoining and restraining Respondents City of Concord (“City”) and Guy Swanger, Chief of Police (“Chief”) (collectively “Respondents”) and their agents, employees and representatives from retroactively enforcing or applying Senate Bill 1421’s amendments to California Penal Code sections

1 832.7 and 832.8 in any manner which would result in the disclosure or production of peace officer
2 personnel records and information regarding incidents or reflecting conduct occurring prior to January
3 1, 2019 that would not have otherwise been subject to disclosure prior to January 1, 2019, or in the
4 alternative, to show cause before this Court in Courtroom 12 located at 725 Court Street, Martinez,
5 California on 2-8-19 2019 at 1:30pm why Respondents have not done so;

6 IT IS FURTHER ORDERED that pending the Order to Show Cause re: Preliminary Injunction
7 and until this Court otherwise directs, a Temporary Restraining Order is hereby issued enjoining and
8 restraining Respondents and their agents, employees and representatives from retroactively enforcing
9 or applying Senate Bill 1421's amendments to California Penal Code sections 832.7 and 832.8 in any
10 manner which would result in the disclosure or production of peace officer personnel records and
11 information regarding incidents or reflecting conduct occurring prior to January 1, 2019 that would not
12 have otherwise been subject to disclosure prior to January 1, 2019.

13 A copy of this Temporary Restraining Order and Order to Show Cause Re: Preliminary
14 Injunction to be served on Respondents _____ days before the hearing date. today ⁺

15 Dated: 1-25-19

CHARLES S. TREAT

16 JUDGE OF THE SUPERIOR COURT

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